APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,412	07/07/2003	Jack I. J'Maev	JJ-037-US	7952

54556 7590 12/14/2005	EXAMINER
INTELLECTUAL PROPERTY DEVELOPMENT	FISHER, MICHAEL J

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ART UNIT	PAPER NUMBER
3629	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	10/615,412	J'MAEV, JACK I.
	Examiner	**Art Unit**	
	Michael J. Fisher	3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 September 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,7,12,15,16 and 20-29* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,7,12,15,16 and 20-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

Claims 1,7,12,20 and 21-25 and 28 are rejected under 35 U.S.C. 103(a) as being

unpatentable over US PAT 6,611,201 to Bishop et al. (Bishop).

As to claim 1, Bishop discloses a method for receiving a specific product recall

notice (col 15, lines 62-65), receiving a signal that includes a single product identifier for

a group of one or more products (model, col 16, lines 15-17) and a recall notice

identifier (recall information, col 16, lines 34-38), providing an indication to a user (col

16, lines 20-24) when the identifier corresponds to a particular vehicle (col 16, lines 16-

19). Bishop further teaches recording in a substantially permanent manner that the

recall notice was received (col 16, lines 40-42).

Bishop does not, however, specifically teach recording a time value reflecting

time of day, system time or a date or the specifics of the recall notice. Bishop does,

however, teach storing the value for dispute resolution (col 16, lines 42-48). It would

have been obvious to one of ordinary skill in the art to include date, time and specifics of

the recall notice so the sender of the recall notice would have proof as to when the

recall notice was sent and the information contained therein else a vehicle owner could

deny that the recall notice was received at that time or for that specific recall else the

dispute could not be resolved.

As to claim 7, it would be inherent that saving a time value would include a time-beacon (the timer in the processor).

As to claim 12, Bishop discloses a system as discussed above. Bishop does not specifically teach using non-volatile memory. The examiner takes Official Notice that the use of non-volatile memory in computers is old and well known in the art It would have been obvious to one of ordinary skill in the art to use non-volatile memory to ensure the data is saved in the event of power loss to the system so as to ensure it is saved for conflict resolution, as discussed.

As to claim 20, Bishop does not specifically teach an alpha-numeric display. Bishop does teach delivering messages about recalls to the owner of the vehicle (abstract, lines 17-20). It would have been obvious to one of ordinary skill in the art to use an alpha-numeric display to ensure the owner knows what is being recalled. For instance, if a light bulb is known to burn out a recall notice might not be all that important. However, if a recall addresses brake failure, a message would be important so the owner would not use the vehicle until the recall is addressed.

As to claim 21, Bishop teaches memory for storing a product identifier that identifies the receiver (inherent in that the system is shown to accept only signals addressed to the vehicle, col 16, lines 16-19), a detector for receiving the signal (1a). Bishop does not specifically teach using non-volatile memory for storing date and time. Bishop does not, however, specifically teach recording a time value reflecting time of day, system time or a date or the specifics of the recall notice. Bishop does, however, teach storing the value for dispute resolution (col 16, lines 42-48). It would have been

obvious to one of ordinary skill in the art to include date, time and specifics of the recall notice so the sender of the recall notice would have proof as to when the recall notice was sent and the information contained therein else a vehicle owner could deny that the recall notice was received at that time or for that specific recall else the dispute could not be resolved.

Further, the examiner takes Official Notice that the use of non-volatile memory in computers is old and well known in the art It would have been obvious to one of ordinary skill in the art to use non-volatile memory to ensure the data is saved in the event of power loss to the system so as to ensure it is saved for conflict resolution, as discussed.

As to claim 22, Bishop discloses an input circuit for receiving a product recall notice (1a), that includes a product identifier (col 16, lines 16-18), and a notice identifier (inherent in that Bishop discloses the system as shutting down specific systems (col 2, lines 43-46), the product identifier would correspond to a pre-established value (the VIN number, col 16, lines 16-19), a notification unit (2b, 7b). Bishop does not, however, teach non-volatile memory. The examiner takes Official Notice that the use of non-volatile memory in computers is old and well known in the art It would have been obvious to one of ordinary skill in the art to use non-volatile memory to ensure the data is saved in the event of power loss to the system so as to ensure it is saved for conflict resolution, as discussed.

As to claim 23, Bishop discloses an indication of the urgency of the recall (col 16, lines 20-24, "appropriate warning"), this would inherently have different forms as there are disclosed "appropriate warning(s)".

As to claims 24 the system is integral (figure of auto in fig 1), sensing a specific recall notice, (col 15, lines 62-65), selectively responding (col 16, lines 16-18), the match being the VIN number (col 16, line 16). Bishop does not, however, teach storing the notice identifier of the specific recall notice. Bishop does, however, teach storing the value for dispute resolution (col 16, lines 42-48). It would have been obvious to one of ordinary skill in the art to include specifics of the recall notice so the sender of the recall notice would have proof as to the information contained therein else a vehicle owner could deny that the recall notice was received for that specific recall else the dispute could not be resolved.

As to claim 25, Bishop does not, however, teach non-volatile memory. The examiner takes Official Notice that the use of non-volatile memory in computers is old and well known in the art It would have been obvious to one of ordinary skill in the art to use non-volatile memory to ensure the data is saved in the event of power loss to the system so as to ensure it is saved for conflict resolution, as discussed.

As to claim 28 the system is integral (figure of auto in fig 1), sensing a specific recall notice, (col 15, lines 62-65), selectively responding (col 16, lines 16-18), the match being the VIN number (col 16, line 16). Bishop does not, however, teach storing the notice identifier of the specific recall notice. Bishop does, however, teach storing the value for dispute resolution (col 16, lines 42-48). It would have been obvious to one of

ordinary skill in the art to include specifics of the recall notice so the sender of the recall

notice would have proof as to the information contained therein else a vehicle owner

could deny that the recall notice was received for that specific recall else the dispute

could not be resolved. Bishop does not, however, teach non-volatile memory. The

examiner takes Official Notice that the use of non-volatile memory in computers is old

and well known in the art It would have been obvious to one of ordinary skill in the art to

use non-volatile memory to ensure the data is saved in the event of power loss to the

system so as to ensure it is saved for conflict resolution, as discussed.

Claims 15,16,26, 27 and 29 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Bishop as applied to claims 1 above, and further in view of US PAT

5,442,553 to Parrillo.

Bishop discloses a system and method as discussed.

As to claims 15,16 26 and 29, Bishop does not, however, teach a power-down

circuit for powering down the receiver at times other than during a specific time-slot.

Parrillo teaches a system for sending notices to vehicles (fig 1) that includes a

specific time slot for sending messages (col 4, lines 65-68). The examiner takes Official

Notice that it is old and well known in the art to only use receivers and transceivers at

set times in order to save power (such as done by Parrillo). Therefore, it would have

been obvious to one of ordinary skill in the art to use specific time-slots to send and

receive messages to save power.

As to claim 27, it would have been obvious to one of ordinary skill in the art to respond to a time beacon as the clock in the local processor of the vehicle could be off and thus, the clock of the sending station would be more accurate.
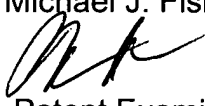
Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Fisher whose telephone number is 571-272-6804. The examiner can normally be reached on Mon.-Fri. 7:30am-5:00pm alt Fri. off.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Fisher

Patent Examiner
GAU 3629

MF
12/10/05